

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES

v.

DANIEL THOMAS HERSL,

Defendant.

Criminal No.: SAG-17-106

ORDER TO REDUCE TERM OF IMPRISONMENT

After review of the motion filed by the United States of America, on behalf of the Director of the Federal Bureau of Prisons, seeking to modify the Defendant's term of imprisonment to time served, and review of the extensive medical records filed under seal with this Court, this Court finds:

1. In 2018, a jury convicted Mr. Hersl of racketeering conspiracy, racketeering, and Hobbs Act robbery. On June 22, 2018, the Court sentenced Mr. Hersl to a 216-month term of imprisonment to be followed by three years of supervised release.
2. During his term of incarceration, Mr. Hersl has been diagnosed with a terminal medical condition and his most current medical records evidence a limited life expectancy.
3. Title 18 U.S.C. § 3582(c)(1)(A)(i) authorizes the Court, upon motion of the Director of the Federal Bureau of Prisons, to modify a term of imprisonment upon a finding that extraordinary and compelling reasons warrant the reduction. While the Government had previously opposed motions that Mr. Hersl filed seeking compassionate release, the Director of the Federal Bureau of Prisons now contends, and this Court agrees, that Mr. Hersl's terminal medical condition and limited life expectancy constitute extraordinary and compelling reasons warranting the requested reduction, consistent

with U.S.S.G. § 1B1.13(b)(1)(A). This Court has also considered the factors set forth in 18 U.S.C. § 3553(a) in light of the present record, and finds that factors such as the history and characteristics of the defendant, the need to protect the public, the need for specific deterrence, and the need for just punishment now weigh in favor of a time served sentence. While Mr. Hersl's offenses were extraordinarily serious, the weight of the sentencing factors now balances in favor of this reduction.

It is therefore ORDERED that Mr. Hersl's term of imprisonment is hereby reduced to the time he has already served.

It is FURTHER ORDERED that Mr. Hersl shall be released from the custody of the Federal Bureau of Prisons as soon as his medical condition permits, his release plan is implemented, and necessary arrangements can be made.

It is FURTHER ORDERED that this Court makes no alteration to the term or conditions of supervised release. Upon his release from custody, Mr. Hersl shall begin serving the three-year term under the supervision of the United States Probation Office.

Dated: January 24, 2025

/s/
Stephanie A. Gallagher
United States District Judge